IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.9762 of 1999

Between:

Bandla Venkateswara Rao, S/o B. Kotaiah,
R/o Padamati Bandlavanipalem, H/o Adankivarpalem Nagaram Mandal,

Guntur District.

..... PETITIONER

AND

1 Government of A.P., rep by its Secretary, School Education,
Secretariat, Hyderabad.
2 The District Educational Officer,
Guntur District.
3 The Mandal Parishad Development Officer,
Nagaram Mandal, Guntur District.
4 The Mandal Educational Officer,
Nagaram, Guntur District.
5 Vidya Committee, Mandal Praja Parishad Elementary School,
BorravariPalem, Nagaram Mandal, Guntur District.

(R5 is impleaded as per the Court order dated 28.01.2000 in WPMP No.18239 of 1999)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an Order, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents vide Proceedings R.D.S. No. 30/98-C, dt. 23/10/98 as illegal, arbitrary and violation of the norms and procedure for implementation of D.P.E.P. programme.

Counsel for the Petitioner: MR. V. Ch. Naidu

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following:

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ORDER:

By this writ petition, the petitioner is questioning the impugned proceedings dated 23.10.1998 wherein the 3rd respondent-Mandal Parishad Development Officer, Nagaram Mandal, Guntur District has permitted for establishment of a new Mandal Parishad Primary Education School at Borravanipalem, hamlet of Addankivanipalem, Nagaram Mandal. Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

The main contention of the learned counsel for the petitioner is that there exists already a School at Padamati Bandlavanipalem and that the proposed School at Borravanipalem is very nearer to the present School at Padamati Bandlavanipalem. He further contends that the village Borravanipalem does not have sufficient student population, and therefore, there is no need to establish a new School in the said village, which is adjacent to Padamati Bandlavanipalem. I find no force in the said contention.

The petitioner is not at all an affected person and he has no *locus standi* to question the impugned proceedings. The matter as to whether there is any necessity to establish a School in the village in question or not is an administrative matter, purely within the purview of the administrative authorities concerned, this Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot interfere with the same.

In the circumstances, the writ petition is dismissed. No costs.

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N.V. RAMANA, J.

Date: 14.06.2005

Nsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, School Education, Government of A.P.,
Secretariat, Hyderabad.
2 The District Educational Officer,
Guntur District.
3 The Mandal Parishad Development Officer,
Nagaram Mandal, Guntur District.
4 The Mandal Educational Officer,
Nagaram, Guntur District.
5 Vidya Committee, Mandal Praja Parishad Elementary School,
BorravariPalem, Nagaram Mandal, Guntur District.

6 Two CCs to GP for School Education, High Court Buildings, Hyderabad

(OUT)

7 Two CD copies